

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

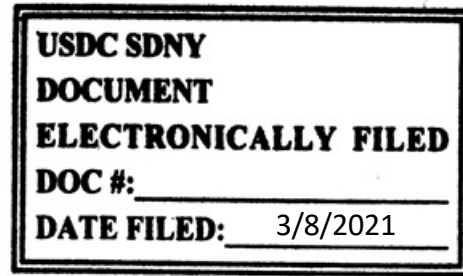
Guo Hua Wang, individually and on behalf of
all others similarly situated,

Plaintiff,

-against-

CGY & J Corp. d/b/a Kitaro et al.,

Defendants.



1:19-cv-01772 (SDA)

ORDER

STEWART D. AARON, UNITED STATES MAGISTRATE JUDGE:

This case contains claims under the Fair Labor Standards Act. On February 9, 2021 an Order was issued on the parties' consent referring disposition of this matter to the undersigned pursuant to 28 U.S.C. § 636(c). (ECF No. 35.) On March 4, 2021 the parties submitted their proposed settlement agreement. (ECF No. 39.) Having reviewed the proposed settlement, the Court finds that it is fair and reasonable. *See Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015). The settlement is approved.¹

Accordingly, this action is dismissed with prejudice and without costs except as may be stated in the settlement agreement. The Clerk of Court is respectfully requested to close the case.

SO ORDERED.

¹ Consistent with decisions from other courts in this Circuit, the Court finds excessive the hourly rates proposed by Plaintiff's counsel. *See, e.g., Luk v ABNS NY Inc.*, No. 18-CV-5170 (AMD) (RLM), 2021 WL 829417, at *4-5 (E.D.N.Y. Feb. 9, 2021) (collecting cases), *report and recommendation adopted*, 2021 WL 826014 (E.D.N.Y. Mar. 3, 2021). Even applying appropriately reduced rates, however, Plaintiff's counsel would have billed in excess of the \$16,933.33 they will collect under the proposed settlement; thus, the Court is satisfied that the fee award provided for in the proposed settlement is fair and reasonable.

DATED: New York, New York
March 8, 2021

A handwritten signature in black ink, reading "Stewart D. Aaron", is positioned above a horizontal line.

STEWART D. AARON
United States Magistrate Judge